

UNITED STATES DISTRICT COURT
for the
Middle District of Alabama

United States of America

v.

David Michael Manning

Date of Original Judgment: 09/28/2022

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 1:22cr8-RAH

USM No: 86009-509

Mackenzie Lund

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____ .
(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

The defendant received two status points under USSG §4A1.1(d) for a total criminal history score of 12 (CHC V). A reduction of one status point under Amendment 821 Part A results in a total criminal history score of 11 (CHC V). Pursuant to USSG §1B1.10(a)(2)(B), a reduction in the defendant's term of imprisonment is not consistent with this policy statement and therefore is not authorized under 18 U.S.C. §3582(c)(2) if the amendment does not lower the applicable guideline range.

Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 02/23/2024


Judge's signature

Effective Date: _____
(if different from order date)

R. Austin Huffaker, Jr., U.S. District Judge

Printed name and title